

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JAMES T. BROWN,

Petitioner,

v.

SCOTT LOVELL,

Respondent.

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Case No. CIV-25-222-G

ORDER

On February 19, 2025, Petitioner James T. Brown, a state inmate appearing pro se, filed a petition seeking federal habeas corpus relief. *See* Pet. (Doc. No. 1). In accordance with 28 U.S.C. § 636(b)(1), the matter was referred to Magistrate Judge Amanda L. Maxfield for initial proceedings.

On May 28, 2025, Judge Maxfield issued a Report and Recommendation (Doc. No. 6), in which she recommended that the Petition, which challenges Petitioner's pretrial detention and custody, be dismissed as moot due to Petitioner's subsequent criminal conviction. In the Report and Recommendation, Judge Maxfield advised Petitioner of his right to object to the Report and Recommendation by June 18, 2025. Judge Maxfield also advised that a failure to timely object would constitute a waiver of the right to appellate review of the factual findings and legal conclusions contained in the Report and Recommendation.

As of this date, Petitioner has not submitted an objection to the Report and Recommendation or sought leave for additional time to do so.


CONCLUSION

Accordingly, the Report and Recommendation (Doc. No. 6) is ADOPTED, and the Petition for Writ of Habeas Corpus (Doc. No. 1) is DISMISSED without prejudice. A separate judgment shall be entered.

Rules 1(b) and 11(a) of the Rules Governing Section 2254 Cases in the United States District Courts require the Court to issue or deny a certificate of appealability when it enters a final order adverse to a petitioner. A certificate of appealability may issue only upon “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). “When the district court denies a habeas petition on procedural grounds without reaching the prisoner’s underlying constitutional claim, a COA should issue when the prisoner shows, at least, that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether the district court was correct in its procedural ruling.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

Upon review, the Court concludes that the requisite standard is not met in this case. Thus, a certificate of appealability is DENIED.

IT IS SO ORDERED this 30th day of June, 2025.


CHARLES B. GOODWIN
United States District Judge